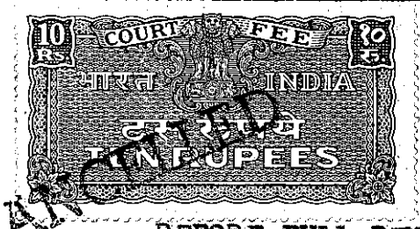

CAUSE LIST

BEFORE FULL BENCH

IN THE HIGH COURT OF CHHATTISGARH JUDICATURE AT BILASPUR.

M.C.C.No. 127/2004

MCC 127/04

APPLICANT : Jolly Mathew, W/o. Mr. Sajji Mathew aged 28 years, R/o. Haldibadi, Chirimiri, P.S. Chirimiri, Tahsil/ Manendragarh, Distt. Korea.

VERSUS

NON-APPLICANT : Sajji Mathew, S/o. Thomas Mathew, aged 33 years R/o. W.E.Z.62, Ist Floor, Block No.3 Shivnagar, New-Delhi Pin/110058. Present Address:- Tank Road, Carol Bag, New Delhi.

P. R. No. ..... received by Shri ..... dated .....

APPLICATION UNDER SECTION 17 OF INDIAN DIVORCE ACT, 1869.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक M.C.C. No. 127/04 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

FULL BENCH :
HON'BLE SHRI L.C.BHADOO,J.,
HON'BLE SHRI V.K.SHRIVASTAVA, J
& HON'BLE SHRI DHIRENDRA MISHRA, J.

16.01.2006

Smt. Hamida Siddiqui, learned counsel for the applicant.

The applicant has preferred this reference under Section 17 of the (Indian) Divorce Act, 1869 for confirmation of the decree of divorce granted in favour of the applicant.

In view of the amendment in the (Indian) Divorce Act 1869, no reference is required and the decree in question was passed on 19.07.2002 i.e. after the amendment of the Act. Even under the Section 17 of the Old Act, reference was to be made by the District Court who passed the decree and no party was entitled to move the reference under Section 17 of the Act.

In view of the above, the application of reference is not maintainable and the same is dismissed.

Sd/-
L.C. BHADOO
Judge

Sd/-
V.K. Shrivastava
Judge

Sd/-
Dhirendra Mishra
Judge

[पीछे देखिये